

Defendant is entitled to immunity from Plaintiff's claims;

2. Plaintiff has failed to exhaust the available administrative remedies available under the PREP Act by failing to file a claim through the Countermeasures Injury Compensation Program; and

3. The Court lacks subject matter jurisdiction over Plaintiff's claims of "willful misconduct" because, pursuant to the PREP Act, any such claims shall be filed and maintained only in the United States District Court for the District of Columbia;

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